

NOV 12 2008

PTOL-413A (10-07)
Approved for use through 06/30/2008. OMB 0851-0034
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**Application No.: 10/769,104First Named Applicant: Catalin D. SanduExaminer: Teshome HalluArt Unit: 2139Status of Application: pending**Tentative Participants:**(1) Examiner Hallu(2) William Curry

(3) _____

(4) _____

Proposed Date of Interview: Fri., Nov. 14, 2008Proposed Time: 2 PM AM/PM**Type of Interview Requested:**(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated:

☐ YES☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) §103	1-6,9,10,13,17	2003/0074573	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	2003/0168189	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached**Brief Description of Argument to be Presented:**

See Continuation Sheet

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

William Curry

Typed/Printed Name of Applicant or Representative

43,572

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Continuation Sheet - Applicant-Initiated Interview Request Form

App. No. 10/769,104

Arguments

Claims 1-6, 9, 10, 13 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hursey et al. (US Pub. No. 2003/0074573) ("Hursey") in view of Desai (US Pub. No. 2003/0188189).

The rejection is respectfully traversed. As to independent claim 1, Hursey and Desai do not support the rejection for at least the reason that, in even in combination, they fail to disclose or suggest "a normalization module that obtains an executable script and generates a normalized signature for the executable script, wherein generating a normalized signature for the executable script comprises translating tokens from the executable script into normalized tokens conforming to a common format," as recited in claim 1.

The Office Action correctly recognizes that Hursey is deficient as to the noted features, but cites Desai for the disclosure absent from Hursey. However, Desai is likewise deficient.

In more detail, the Office Action cites paragraphs [0051] and [0052] of Desai in support of the rejection. However, these paragraphs do not describe translating tokens from the executable script into normalized tokens conforming to a common format, as recited in claim 1. Instead, they describe formatting an event log. Clearly, an event log is not an executable script as recited in claim 1. Accordingly, claim 1 is allowable over Hursey and Desai.

Independent claims 3, 4 and 5 include similar recitations to those of claim 1 noted above, and are consequently likewise allowable over Hursey and Desai.

Proposed new claims

21. (New) A computing device configured with a process to detect malware, the process including:

parsing an executable script to obtain a plurality of tokens therefrom, the plurality of tokens including tokens respectively corresponding to variables and subroutines of the executable script;

if a token of the plurality of tokens obtained corresponds to a variable, generating a variable token based on renaming the variable;

if a token of the plurality of tokens obtained corresponds to a subroutine, generating a subroutine token based on renaming the subroutine;

forming a token set from the variable token and the subroutine token;

comparing the token set with a token set of a known malware script; and

if there is a match, reporting that the executable script is malware.

22. (New) The computing device of claim 21, the parsing further including obtaining tokens respectively corresponding to operators, constants, execution directives, comments and white space.